

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

December 20, 2002

IN RE:

**PETITION OF XO TENNESSEE, INC. TO
OPEN CONTESTED CASE PROCEEDING
TO MONITOR COMPLIANCE WITH TRA
RULES AND ORDERS ON DIRECTORY COVERS**

**DOCKET NO.
02-01106**

ORDER APPOINTING PRE-HEARING OFFICER

This matter came before Chairman Sara Kyle, Director Pat Miller, and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on December 2, 2002 for consideration of *Motion to Restart Proceedings* filed on behalf of XO of Tennessee, Inc. ("XO"), BellSouth Advertising & Publishing Company ("BAPCO"), and US LEC of Tennessee, Inc. ("US LEC").

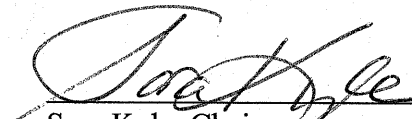
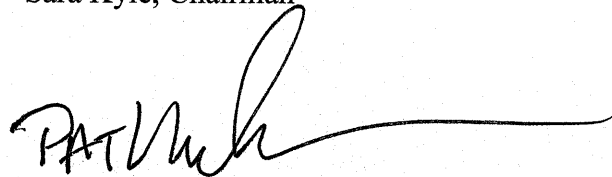
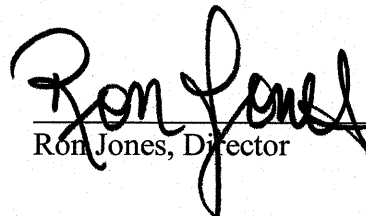
On October 29, 2002, XO filed a *Motion to Suspend Proceeding*. During a regularly scheduled Authority Conference held on November 4, 2002, the parties informed the Directors that they had reached an agreement concerning both the Knoxville and Nashville 2003 White Pages Directories. The parties requested that these proceedings be suspended due to ongoing negotiations related to the Memphis and Chattanooga directories. After considering the recent activity in this matter the Directors voted unanimously to suspend these proceedings in this docket until December 1, 2002.

The *Motion to Restart Proceedings* was filed on November 25, 2002. At the December

2, 2002 Authority Conference, the voting panel heard from the parties regarding the most recent status of the negotiations and the request to have the Authority move forward with a contested case on the issue(s) that the parties have not been able to resolve through negotiations. Thereafter, the Directors acted on the Motion by voting unanimously to appoint the General Counsel or his designee to act as Pre-Hearing Officer in these proceedings to hear preliminary matters prior to the Hearing, to rule on any petition(s) for intervention, and to set a procedural schedule to completion.

IT IS THEREFORE ORDERED THAT:

The General Counsel or his designee is appointed Pre-Hearing Officer in this matter to hear preliminary matters prior to the Hearing, to rule on any petition(s) for intervention and to set a procedural schedule to completion.


Sara Kyle, Chairman
Pat Miller, Director
Ron Jones, Director